

DATE: October 8, 2010

MEMO CODE: SP 04-2011, CACFP 01-2011

SUBJECT: Eligibility of Expanded Learning Time Programs for Afterschool  
Snack Service in NSLP and CACFP

TO: Child Nutrition Programs

In response to recent inquiries, this memorandum clarifies eligibility requirements for afterschool programs for the afterschool snack components of the National School Lunch Program (NSLP) and Child and Adult Care Food Program (CACFP). In particular, we have been asked whether certain expanded day learning programs are eligible for afterschool snack service.

The afterschool snack components of the NSLP and CACFP were established in 1998 in the William F. Goodling Child Nutrition Act of 1998 (P.L. 105-336, 42 U.S.C. 1766 and 1766a). The components were established to support programs operating afterschool programs with educational and enrichment activities for children in the late afternoon or evening when they might otherwise be unsupervised and engage in risky behaviors. Program regulations define afterschool care programs as those “providing organized care to enrolled school-age children after school hours for the purpose of care and supervision of children.” (7 CFR 210.2 and 226.17a(b)). Recently, educational programs aimed at serving at-risk children have evolved to include schools operating expanded learning times longer than the traditional school day. “Expanded learning time” is a common term used in the education arena to describe schools or school districts that add significantly more school time for academic and enrichment opportunities to improve student achievement.

To date, our consideration of “afterschool” in implementing the afterschool snack components of the NSLP and CACFP has focused on the nature of the *program* offered by a participating school or other provider as distinct from a school program (e.g. relationship to the curriculum). However, given the evolution of educational programs, we think it is reasonable at this time to consider whether such programs may operate longer than the traditional school day as defined by applicable State or local laws and policies.

Therefore, a school operating longer than the traditional school day may be eligible for afterschool snack reimbursement through NSLP or CACFP, provided that it operates a school day that is at least one hour longer than the minimum number of school day hours required for the comparable grade levels by the local educational agency in which the school is located. Thus, in determining an expanded learning program’s eligibility for reimbursement, a State agency should first use school day hour data from the particular school’s local educational agency (LEA) as the standard to determine the minimum number of school day hours required. In LEAs in which all schools operate an expanded learning time program, or in single-school LEAs, the State’s average length of the school day or the average length of the school day of surrounding LEAs may be used to determine the standard minimum number of school day hours.

Please note that the clarification set forth in this memorandum for expanded learning time schools does not change the requirements for determining eligibility for traditional afterschool care programs. State agencies must continue to make eligibility determinations for these programs based on whether such programs are afterschool care programs with an educational or enrichment purpose, in accordance with regulations and policy previously issued.

Finally, schools operating expanded learning time programs may also be eligible for afterschool supper reimbursement through CACFP, if they are located in one of the States currently authorized for afterschool supper reimbursement.